



# THE COPYRIGHT SOCIETY OF THE U.S.A.

*advancing the study and understanding of copyright law since 1953*

## National Events Calendar

June 7-9, 2009

**33rd Annual Meeting, Bolton Landing, NY**

February 4-6, 2010

**Mid-Winter Meeting, Scottsdale, AZ**

## Contents:

Page 1	Letter from the President
Page 2	National Event Reports
Page 3	Regional Chapter Events
Page 6	C.S.U.S.A. Information

# Letter from the President

Friends:

It is hard to believe that it is May, and that the Annual Meeting is just around the corner. It seems that the Mid-Winter meeting in San Francisco was just last week...It was a roaring success, thanks to the hard work of our planning committee: Jay Monahan of Vuze, Inc., Nancy Wolff of Cowan DeBaets Abrahams & Sheppard LLP, and Dave Green of Microsoft. They assembled lively and diverse panels to talk with us about issues in Internet piracy, new business models for copyright content, and more, and featuring keynote speaker Judge Alex Kozinski, Chief Judge of the Ninth Circuit. I was delighted to show off some San Francisco highlights, including Beach Blanket Babylon, the Academy of Sciences, and the beautiful Ferry Building.

The chapters have been busy this Winter and Spring with wonderful programs. We encourage you to help build the local chapters and support their events. Next time there is an event in your city, please bring along someone new to the Copyright Society. The Copyright Society is all about the members: share our wealth and help build it.

We said good-bye last month to one of the leaders of U.S. copyright law - Barbara Ringer. Barbara was the principal architect of the 1976 Copyright Act; she served as Register of Copyrights from 1973-1980 and as Acting Register from 1993-1994. She was a pioneer in many ways, and made an indelible contribution to copyright law, that we all benefit from today.

And, finally, we look forward to seeing you at the Sagamore in early June for the Annual Meeting. David Bondy, Drew Kastner and Joella West have put together a great program, including panels on music licensing, fair use as seen around the world, and the growing role of contract law in copyright enforcement, along with a report from the Copyright Office and our annual copyright case update. Make your reservations and pack your bags...We look forward to seeing you in June.

Regards to you all,

Karen Frank

# The 2009 Annual Meeting

June 7-9, 2009, The Sagamore Hotel, Bolton Landing, New York

## Agenda

### Sunday, June 7, 2009

3:00 p.m. - 5:00 p.m. *Registration*  
5:00 p.m. - 6:00 p.m. *Joint Annual Meeting of the Trustees and Members*  
6:30 p.m. - 7:00 p.m. *New Attendees Wine & Cheese Reception*  
7:00 p.m. - 8:00 p.m. *Welcome Reception*  
8:00 p.m. - 10:00 p.m. *Dinner - Clam Bake*  
9:30 p.m. - 11:00 p.m. *Wine Tasting (optional)*

### Monday, June 8, 2009

7:00 a.m. - 8:00 a.m. *Breakfast Buffet*

8:15 a.m. - 8:30 a.m.  
*President's Welcoming Remarks*

8:30 a.m. - 9:30 a.m.  
*The View from the Copyright Office*  
Speaker: Marybeth Peters, Register of Copyrights, U.S. Copyright Office

9:30 a.m. - 10:45 a.m.  
*From Copyright to Contract: Using State Contract Law to Protect Creative Works*  
Moderator:  
Jason Mazzone, Brooklyn Law School  
Speakers:  
Scott Bain, Software & Information Industry Association  
Jay Kogan, DC Comics  
David Rabinowitz, Moses & Singer LLP  
Mark Traphagen, Traphagen Law PLLC

11:00 a.m. - 12:45 p.m.  
*A Fair Use Fair: International Practice*  
Moderator:  
Eric J. Schwartz, Mitchell Silberberg & Knupp LLP  
Panelists:  
Casey Chisick, Cassels Brock & Blackwell LLP  
Jan B. Nordemann, Boehmert & Boehmert  
Niri Shanmuganathan, Taylor Wessing LLP

12:15 p.m. - 2:00 p.m. *Lunch*  
2:00 p.m. - 5:00 p.m. *Sports*  
24th Annual Softball Game  
24th Annual Kate McKay Tennis Open (1:00 p.m.)  
16th Annual Golf Tournament  
Hike  
Volleyball

5:00 p.m. - 6:00 p.m. *Executive Committee Meeting*  
7:00 p.m. - 9:00 p.m. *Dinner and Entertainment*

### Tuesday, June 9, 2009

7:00 a.m. - 8:30 a.m. *Breakfast Buffet*  
7:30 a.m. - 8:30 a.m. *Editorial Board*  
7:30 a.m. - 8:30 a.m. *Chapter Chairpersons Meeting*

9:00 a.m. - 10:15 a.m.  
*What Doesn't Kill Us Makes Us Stronger: Adapting to New Technologies*  
Panelists:  
Kraig Baker, Davis Wright Tremaine LLP  
Jim Griffin, Warner Music Group  
Bruce Rich, Weil, Gotshal & Manges LLP

10:15 a.m. - 11:30 a.m.  
*Recent Developments in Copyright Law*  
Speakers:  
Robert Clarida, Cowan Liebowitz & Latman, P.C.  
Thomas Kjellberg, Cowan Liebowitz & Latman, P.C.

11:45 a.m. - 1:00 p.m.  
*The New Business of Mechanical Licensing: Rube Goldberg Is Alive and Well!*  
Moderator:  
Todd Brabec, USC Thornton School of Music  
Panelists:  
Stephen Block, The Harry Fox Agency, Inc.  
Cindy Charles, MediaNet Digital  
Ronald H. Gertz, Music Reports, Inc.  
Ann Sweeney, Warner/Chappell Music, Inc.

1:00 p.m. *Adjournment*

## Annual Meeting Thanks

The Copyright Society of the USA would like to thank the 2009 Annual Meeting Committee:  
David A. Bondy, Moses & Singer LLP  
W. Drew Kastner, Think Fire Services USA, Ltd.  
Joella West, Law Office of Joella West

## Sponsor the Annual Meeting

Sponsorships are still available for the 2009 Annual Meeting. For details, contact Amy Nickerson at [amy@csusa.org](mailto:amy@csusa.org).

# Regional Chapter Events

## Midwest Chapter

### Recent Event:

**April 16, 2009**

*"The Infringing Tourist" or "What Can't You Do with Your Camera on Vacation"*

## New England Chapter

### Recent Events:

**April 23, 2009**

*"Copyright and Creativity: When Art Meets Commerce, What Happens?"*

Speaker: Ray Dowd, Dunnington Bartholow & Miller LLP

**April 14, 2009**

*"How the Publishers Saved Copyright and Why It Still Matters"*

Speaker: Jon Baumgarten, Proskauer Rose LLP

## New York Chapter

### Recent Events:

**April 22, 2009**

*"The Sweet Smell of International Copyright Protection"*

Moderator: Derek Bambauer, Brooklyn Law School

Panelists:

Charles Cronin, Visiting Fellow, Yale Law School  
Tobias Cohen Johoram, De Brauw, Blackstone, Westbroek

**April 7, 2009**

*"Wrapping Your Head Around 360 Deals"*

Moderator:

Jeffrey Liebenson, Herrick Feinstein LLP

Panelists:

Rand Levin, Universal Music Group

Elliot Resnik, The Law Offices of Elliot Resnik

Amaechi Uzoigwe, Definitive Jux Records

**March 19, 2009**

*"The Year of the Widget"*

Moderator: Steven Masur, Masur Law

Panelists:

Matthew DeFilippis, ASCAP

Alex Ellerson, Howcast Media, Inc.

Kenneth Gersh, MLB Advanced Media

**February 26, 2009**

*"Imagine: A Dancing Baby and the Encyclopedia of Fair Use"*

Moderator: Jason Mazzone, Brooklyn Law School

Panelists:

Dale Cendali, Kirkland & Ellis LLP

Hillel I. Parness, Lovells LLP

Wendy Seltzer, American University's

Washington School of Law

**February 23, 2009**

*"TRIP-ping the Light Bilateral: U.S.-Israeli Recording Performance Rights"*

Speaker: Neil Wilkof, Herzog, Fox & Neeman

**January 14, 2009**

*“Snapfu: Picturing the Law on Photographs of Preexisting Works”*

Moderator:

Professor June Besek, Columbia Law School

Panelists:

Matthew T. Furton, Locke Lorde Bissell & Liddell

Nancy E. Wolff, Cowan, DeBaets, Abrahams &

Sheppard

Alan Behr, Alston & Bird

## Northern California Chapter

**Recent Events:**

**April 23, 2009**

*“The DMCA and User Generated Litigation: Tactics, Strategy, Case Law and Issues that Keep Trial Lawyers Up at Night”*

Speaker:

Ian C. Ballon, Greenberg Traurig LLP

**March 18, 2009**

*“Unbundling Fair Uses”*

Speaker:

Professor Paula Samuelson, University of California, Berkeley

## Northwest Chapter

The Northwest Chapter now has a Facebook fan page. Fans of the Northwest Chapter can follow the chapter’s topics of interest, discuss copyright news and events in the page’s forum, post pictures and stay up-to-date with Copyright Society and other events of interest.

**Recent Events:**

**April 16, 2009**

*“You Look Familiar: The Rights of Publicity for Fictional and Non-Fictional Characters”*

Speakers:

Jay Kogan, DC Comics

Lawrence Siskind, Harvey Siskind LLP

**January 29, 2009**

*“The Google Settlement - What Does It Mean for the Future?”*

Speakers:

Brian Flagler, Flagler Law Group

Jule Sigall, Microsoft Corporation

## Philadelphia Chapter

**Recent Event:**

**February 26, 2009**

*“The Making Available Right: What Went Wrong?”*

Speakers:

Justin Hughes, Cardozo Law School

Eric Schwartz, Mitchell Silberberg & Knupp  
LLP

## Southeast Chapter

**Upcoming Event:**

**June 16, 2009**

*Exploitation of Works Under Copyright and in the Public Domain: Responding to Calls for Longer Copyright Terms*

Speaker:

Professor Paul Heald, University of Georgia  
School of Law

Location: Kilpatrick Stockton LLP, 1100  
Peachtree Street, Suite 2800, Atlanta

## Southwest Chapter

**Recent Event:**

**February 4, 2009**

*“Copyright Law Update”*

Speakers:

Eleanor M. Lackman, Lovells LLP

Suzanne V. Wilson, Arnold & Porter LLP

# Washington D.C. Chapter

## Upcoming Events:

**May 7, 2009**

*“The Copyright Office Speaks in Washington D.C.:*”  
*Presentations on Copyright Office Regulatory Activities and Hot Topics in Congress and the Courts, with a Registration Tutorial for Communications Lawyers*

### Speakers:

Marybeth Peters, Register of Copyrights  
Tanya Sandros, Deputy General Counsel  
Robert Kasunic, Principal Legal Advisor  
Ben Golant, Assistant General Counsel

Time: 6:00 p.m. - 8:30 p.m.

Location: Dow Lohnes PLLC, 1200 New Hampshire Avenue, N.W.

**June 2, 2009**

*Ninth Christopher A. Meyer Memorial Lecture:*  
*“Did Campbell Repair Fair Use?”*

Presented by The Honorable Pierre N. Leval, U.S. Court of Appeals for the Second Circuit

Time: 2:00 p.m. - 3:00 p.m.

Location: Jacob Burns Moot Court Room, Suite L101, The George Washington University Law School, 2000 H Street, N.W.

*Seating is limited. To RSVP, call (202) 637-0850 or email [beckyjohanson@verizon.net](mailto:beckyjohanson@verizon.net).*

## Contribute to the Newsletter

*Please submit your Member News, Events and other Information via email to the Copyright Society office at [amy@csusa.org](mailto:amy@csusa.org), and to the Press and Publicity Chair at [eleonor.lackman@lovells.com](mailto:eleonor.lackman@lovells.com).*

*Deadline for submissions for inclusion in the Autumn 2009 Newsletter is **September 15, 2009**. Please note the Copyright Society of the U.S.A. reserves the right to select and edit submissions received.*

## Recent Events:

**April 29, 2009**

*“Jacobsen v. Katzer and Open Source: Little Trains, Big Consequences”*

### Moderator:

Barbara I. Berschler, Law Office of Barbara I. Berschler

### Speakers:

Victoria K. Hall, Law Office of Victoria K. Hall  
Elaine M. Laflamme, Akin Gump Strauss Hauer & Feld, LLP

**February 24, 2009**

*“The Copyright Office Speaks: The 14th Annual Event”*

### Speaker:

The Honorable Marybeth Peters, Register of Copyrights, U.S. Copyright Office

**Looking for updated information about events sponsored by your local chapter? Visit [www.csusa.org](http://www.csusa.org).**

## *Get “LinkedIn” to The Copyright Society*

The Copyright Society of the USA is now on LinkedIn. Visit <http://www.linkedin.com> to join and get connected to other CSUSA members.

# Regional Chapter Contact Information

For more information on upcoming events and Chapter activities, or to submit ideas and suggestions to your Chapter Chair:

## MIDWEST

E. Leonard Rubin, (312) 540-7676  
email: lrubin@querrey.com

Beverly Berneman, (312) 540-7144  
email: bberneman@querrey.com

## NEW ENGLAND

Glenn Pudelka, (617) 239-0371  
email: gpudelka@eapdlaw.com

## NEW YORK

Rose Auslander, (212) 238-8601  
email: auslander@clm.com

Jonathan Purow, (212) 616-4125  
email: jpcopyright@yahoo.com

## NORTHERN CALIFORNIA

Larry Siskind, (415) 354-0100  
email: siskind@harveysiskind.com

## NORTHWEST

Nicholas Mitchell, (206) 390-2173  
email: nicholasjamesmitchell@gmail.com

## PHILADELPHIA

David Wolfsohn, (215) 564-2222  
email: wolfsohn@woodcock.com

## ROCKY MOUNTAIN

Ian Saffer, (303) 571-4000  
email: ilsaffer@townsend.com

## SOUTHEAST

James A. Trigg, (404) 815-6553  
email: jtrigg@kilpatrickstockton.com

## SOUTHWEST

Paul E. Burns, (602) 530-8440  
email: paul.burns@gknet.com

## WASHINGTON, D.C.

Troy Dow, (202) 222-4770  
email: troy.dow@disney.com

Eric J. Schwartz, (202) 355-7903  
email: ejs@msk.com

# Copyright Society of the U.S.A. Information

The Copyright Society of the U.S.A. is a non-profit organization that was organized in 1953 to foster interest in and advance the study of copyright law and the rights in literature, music, art, the theatre, motion pictures and other forms of intellectual property. Membership supports these goals and has many benefits, including participation in nationwide educational events, meetings, lectures, and educational initiatives, an online newsletter, and a subscription to the prestigious *Journal of the Copyright Society of the U.S.A.*, the leading peer-reviewed journal devoted exclusively to copyright law. For further information on membership, including forms, please see our web site: [www.csusa.org](http://www.csusa.org).

The Copyright Society of the USA  
352 Seventh Avenue, Suite 739  
New York, NY 10001  
Amy Nickerson, Director of Operations

Telephone: 212.354.6401  
Fax: 212.354.2847  
email: [amy@csusa.org](mailto:amy@csusa.org)  
Web site: [www.csusa.org](http://www.csusa.org)

**The Copyright Society of the U.S.A.**

**Newsletter, Vol. 7 No. 2, Spring/Summer 2009**

**Copyright 2009 by the Copyright Society of the U.S.A. All rights reserved.**

**This newsletter is sent to members of the Copyright Society of the U.S.A. who have provided their email address. If you have received this newsletter in error please contact us at: [amy@csusa.org](mailto:amy@csusa.org).**